

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

**KEVIN M. KEAY,**

Civil Case No. 10-1099-ST

Plaintiff,

O R D E R

v.

**UNITED STATES AIR FORCE,**

Defendant.

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KING, Judge:

The Honorable Janice M. Stewart, United States Magistrate Judge, filed Findings and Recommendation on September 23, 2010. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2nd 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708

F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Stewart's Findings and Recommendation (#4) dated September 23, 2010 in its entirety.

IT IS HEREBY ORDERED that plaintiff's Application to Proceed In Forma Pauperis (#1) is granted. Plaintiff's Complaint is dismissed with prejudice, and without service of process, for lack of subject matter jurisdiction.

DATED this 22<sup>nd</sup> day of October, 2010.

/s/ Garr M. King

GARR M. KING  
United States District Judge